



W.P(MD)No.32305 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.32305 of 2025

G.Murugananthan

... Petitioner

Vs

The Managing Director,
Madurai District Central Cooperative Bank,
187, North Veli Street,
Madurai - 625 001.

... Respondent

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to refund the amount of Rs.1,11,111/- deducted illegally in the arrear payment, paid on 25.03.2022 for the period from 02.05.2015 to 31.07.2017 and thus render justice.

For Petitioner : Mr.K.K.Samy
For Respondent : Mr.D.Shanmugaraja Sethupathi



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ORDER

The petitioner, erstwhile employee of the respondent Central Cooperative Bank has filed this writ petition, seeking a writ of Mandamus, directing the respondent Bank to refund a sum of Rs.1,11,111/-, which according to the petitioner, has been deducted illegally, while arrears have been settled by the respondent to him, on 25.03.2022, for the period from 02.05.2015 to 31.07.2017.

2.The case of the petitioner is that the petitioner was appointed in the respondent Co-operative Bank on 28.10.1988. The respondent Management has retrenched this petitioner, in violation of 25F of the Industrial Disputes Act, on 09.07.1990 and therefore, he has raised the Industrial Dispute, before the Labour Court, Madurai in I.D.No.79 of 1991 and the same was allowed by an award, dated 21.04.1999, with a direction to the respondent Bank to reinstate him, with continuity of service. As against this award passed by the Labour Court, the respondent Management has filed a writ petition before this Court in WP(MD) No.2309 of 2000 and the



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same was dismissed, by confirming the award passed by the Labour Court. Writ appeal filed by the Management in WA(MD) No.599 of 2009 and also the Special Leave Petition(Civil) No.28074 of 2012 filed by the Management were dismissed by this Court as well as by the Honourable Supreme Court, by confirming the award passed by the Labour Court in ID.No.79 of 1991. The Labour Court, by its award dated, 21.04.1999 has directed the Management to reinstate the petitioner and other employees, who have been similarly ousted, into service, with continuity of service, however, without any back wages. As such, they have been reinstated into service only on 29.04.2015. Pending litigation filed by the Management, the petitioner and others claim that they are entitled for wages under Section 17 B of the Industrial Disputes Act and the same was also ordered by this Court. Subsequently, a settlement under Section 18(1) of the Industrial Disputes Act has been arrived and as per the settlement, the petitioner and others claim that they have not been paid with a sum of Rs.1,11,111/- for the period from 02.05.2015 to 31.07.2017.



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3.Mr.Shanmuga Raja Sethupathi, learned counsel takes notice for the respondent Management and submits that as per the settlement, salaries due to the petitioner have already been settled, however, the petitioner claims the amount over and above his eligible salary and therefore, he is not entitled for the same.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The petitioner has obtained an award in I.D.No.79 of 1991, dated 21.04.1999, which has also been confirmed up to the Honourable Supreme Court. The petitioner is entitled for the wages, under Section 17B of the Industrial Disputes Act. The Management claims that there was a settlement under Section 18(1) of the Industrial Disputes Act, 1947 arrived at, between the workers and the Management and as per the settlement, the entire amount due to the petitioner has been settled to him. According to the learned



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counsel for the petitioner, the wages under Section 17B of the Industrial Disputes Act, 1947 as agreed by the Management has not been paid to the petitioner, for the period from 02.05.2015 to 31.07.2017 and therefore, he has filed this writ petition, seeking a Mandamus.

6.Considering that the limited relief sought for in this writ petition is only for a Mandamus to direct the respondent to refund the amount, this Court without expressing anything on the merits of the claim made by the petitioner, disposes of this writ petition, with a direction to this petitioner to furnish the particulars of his claim to the respondent and on receipt of the same, the respondent Management shall provide an opportunity of hearing to the petitioner and thereafter shall pass an order, on his claim, within a period of twelve weeks from the date of receipt of copy of this order. No costs.

13.11.2025

Index:Yes

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Internet: Yes

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To

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B.PUGALENDHI, J.

vrn

Order made in
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